

03/10/99

Please type a plus (+) inside this box -

U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

 Attorney Docket No. **5914-066** Total Pages **220**

First Named Inventor or Application Identifier

Philip BENFEY et al.

Express Mail Label No.

PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form
Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages **116**]
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description of the Invention *(including drawings, if filed)*
 - Claims
 - Abstract of the Disclosure
3. ☒ Drawing(s) *(35 USC 113)* [Total Sheets **101**]
4. ☒ Oath or Declaration *(Unexecuted)* [Total Sheets **3**]
- a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
(Note Box 5 below)

6. ☐ Microfiche Computer Program *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy *(identical to computer copy)*
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PAPERS

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

5. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☐ Incorporation By Reference *(useable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

- ☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 08/842,445 filed April 24, 1997

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

20582

*(Insert Customer No. or Attach bar code label here)*or ☐ Correspondence address below

NAME

ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PENNIE & EDMONDS

COUNSELLORS AT LAW
1155 Avenue of the Americas
New York, N.Y. 10036-2711
(212) 790-9090

ATTORNEY DOCKET NO. 5914-066

Date March 10, 1999

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

The following utility patent application is enclosed for filing:

Inventor(s): Philip BENFEY et al.

Executed on: (Unexecuted)

Invention: SCARECROW GENE, PROMOTER AND
USES THEREOF

Pages of Specification 116 plus Abstract

Sheets of Drawings 101

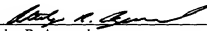
PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	66	-20	46	\$18.00 each	828.00
Independent	14	-3	11	\$78.00 each	858.00
Minimum Fee					760.00
Multiple Dependency Fee If Applicable (\$260.00)					260.00
Total					2,706.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)					-
Total Filing Fee					\$ 2,706.00

Priority of pending application serial no. 08/842,445 filed on April 24, 1997, which is a continuation-in-part of application serial no. 08/638,617 filed on April 26, 1996 now abandoned, is claimed under 35 U.S.C. § 120. Priority is also claimed of application serial no. 08/638,617 filed on April 26, 1996 under 35 U.S.C. § 120.

Please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,


Atulya R. Agarwal

40,887
(Reg. No.)

For: Laura A. Coruzzi, Reg. No. 30,742
PENNIE & EDMONDS
1155 Avenue of the Americas
New York, NY 10036-2711

Enclosure